



STATE OF DELAWARE

PUBLIC SERVICE COMMISSION
861 SILVER LAKE BLVD.
CANNON BUILDING, SUITE 100
DOVER, DELAWARE 19904

TELEPHONE: (302) 736-7500
FAX: (302) 739-4849

September 21, 2018

Simona Patru
Freepoint Energy Solutions, LLC
3050 Post Oak Blvd., Suite 1330
Houston, TX 77056

Re: In The Matter of Freepoint Energy Solutions LLC For A Certificate to Provide Electric Supply Services within the State Of Delaware (Submitted February 2, 2017; Revised September 5, 2018) - PSC Docket No. 17-0070

Dear Ms. Nendza,

The Delaware Public Service Commission ("Commission") is in receipt of the amendment to the application (the "Application") submitted by Freepoint Energy Solutions LLC ("Company") for certification to provide electric supply services to residential and small commercial customers in Delaware. The Application is incomplete requires additional information, as indicated below:

Section 2.2.19 Retail Experience

- Please submit a professional résumé for Simona Patru.

Section 6.0 Contract

- Will the Company only offer fixed rate contracts?
 - Please specify product offerings on the contract summary.
- In the section "Price Structure," please revise the section using the following format: 'Fixed rate during initial term of (X) months, then renews at a variable rate.'
 - "Contract Term" section can be removed.
- In the section "Contract Price," please add the number of months after 'Initial Term.'
- Please include the entire policy for "Right to Rescind" as defined in the Supplier Rules.
- In the section "Deposit Requirements," please add 'See Section 6 of Terms and Conditions.'
- The explanation of "Early Termination Fees" on the contract summary does not match the explanation in Section 10 of the Terms and Conditions. Please update this.
 - Please explain how the 'estimate of remaining amount of energy that would have been delivered by Seller' is determined and include the explanation in the both the contract summary and terms and conditions.
 - Please remove the sentence that reads 'Customer acknowledges and stipulates that the payment obligations set forth herein are difficult to estimate and represent a reasonable approximation of the anticipated harm or loss to Seller as a result of an event of default with respect to the Customer.'

- In the section “Renewal Terms,” please add the words ‘or terminate’ after ‘If you do not renew...’ on the second line.
- In Section 3, revise line 6 to read ‘If you do not renew or terminate...’
- In Section 4, revise line 13 to include the website (not email address) and telephone number that customers can utilize to obtain historical pricing information.

Section 2.1.6 Verification of Application

- Please provide a signed, sworn statement of verification for all subsequent filings in this docket.

Staff respectfully requests a response to this notice of deficiency on or before **October 22, 2018**. Please note that 26 *Del. Admin. C.* § 3001 (the “Supplier Rules”) section 2.4 provides that incomplete applications will be closed four (4) months after the filing date. If the application is not completed within the four (4) month time frame the applicant forfeits their application filing fee and must resubmit the application with an additional filing fee. The responses and verifications can be uploaded as a subsequent filing in DelaFile under Docket No 17-0070.

Should you have any questions or if I can be of any assistance you may contact me at (302) 736-7539 or send questions by email to Clishona.Marshall@state.de.us.

Sincerely,

Shona Marshall

Shona Marshall
Public Utility Analyst

CC: Ms. Donna Nickerson, Commission Secretary
Ms. Malika Davis, Public Utility Analyst
Mrs. Amy Porter, Public Utility Analyst